

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2353

Introduced by Assembly Member Logue

February 19, 2010

An act to add Section 66908.5 to the Government Code, and to amend Sections 31108, 33208, and 33350 of, and to add Sections 32351, 32539, 32573.5, 32604.5, 32638.5, and 33510 to, the Public Resources Code, relating to conservancies.

LEGISLATIVE COUNSEL'S DIGEST

AB 2353, as amended, Logue. Conservancies: reporting requirements.

Existing law authorizes various conservancies to acquire, manage, direct the management of, and conserve public lands in the state. *Existing law requires the State Coastal Conservancy, the Santa Monica Mountains Conservancy, and the Sierra Nevada Conservancy, to submit a report, at specified times, to the Legislature.*

This bill would ~~state that it is the intent of the Legislature to enact legislation that will require the Baldwin Hills Conservancy, the California Tahoe Conservancy, the Coachella Valley Mountains Conservancy, the San Diego River Conservancy, the Sacramento-San Joaquin Delta Conservancy, the San Joaquin River Conservancy, the Baldwin Hills Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, and the San Joaquin River Conservancy~~ *the San Diego River Conservancy, and the Coachella Valley Mountain Conservancy* to submit ~~annual~~ *biennial* reports to the Legislature *and to the Secretary of the Natural Resources Agency* detailing their goals, ~~their progress toward meeting their goals, and their expenditures, including, but not limited to, those expenditures relating~~

~~to funding, land management costs, administrative costs, and land and conservation easement acquisition costs~~ *acquisition activities or funding, a project schedule, and progress toward achieving specified purposes. The bill would also conform the dates when the existing reports are required to be submitted by the State Coastal Conservancy, Santa Monica Mountains Conservancy, and the Sierra Nevada Conservancy.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66908.5 is added to the Government Code,
2 to read:
3 66908.5. Notwithstanding Section 10231.5, the conservancy
4 shall provide a report to the Legislature and to the Secretary of
5 the Natural Resources Agency on or before January 1, 2012, and
6 on or before January 1 every even-numbered year thereafter. The
7 report shall contain information regarding all of the following:
8 (a) State and nonstate funding sources and revenues.
9 (b) Land management costs and administrative costs.
10 (c) Land or conservation easement acquisition activities or
11 funding provided to nonstate entities to acquire land or
12 conservation easements.
13 (d) A schedule of projects undertaken.
14 (e) A description of progress made toward achievement of the
15 purposes set forth in Section 66905.2.
16 SEC. 2. Section 31108 of the Public Resources Code is
17 amended to read:
18 31108. ~~Commencing on January 2, 1980, and every third~~
19 Notwithstanding Section 10231.5 of the Government Code, on or
20 before January 1, 2012, and on or before January 1 every
21 even-numbered year thereafter, the conservancy shall prepare and
22 submit to the Governor and to the Legislature a report describing
23 progress in achieving the objectives of this division. The report
24 shall include the following:
25 (a) An evaluation of the effectiveness of the conservancy's
26 programs in preserving agricultural lands, restoring coastal habitat,
27 providing public access to the coastline, and in undertaking other
28 functions prescribed in this division.

1 (b) Identification of additional funding, legislation, or other
2 resources required to more effectively carry out the objectives of
3 this division.

4 (c) A discussion of its progress in addressing the goals, priority
5 areas, and concerns referenced in subdivision (a) of Section 31163,
6 including, but not limited to, any funds that are received or
7 disbursed for purposes related to addressing those goals, priority
8 areas, and concerns.

9 *SEC. 3. Section 32351 is added to the Public Resources Code,*
10 *to read:*

11 *32351. Notwithstanding Section 10231.5 of the Government*
12 *Code, the conservancy shall provide a report to the Legislature*
13 *and to the Secretary of the Natural Resources Agency on or before*
14 *January 1, 2012, and on or before January 1 every even-numbered*
15 *year thereafter. The report shall contain information regarding*
16 *all of the following:*

17 *(a) State and nonstate funding sources and revenues.*

18 *(b) Land management costs and administrative costs.*

19 *(c) Land or conservation easement acquisition activities or*
20 *funding provided to nonstate entities to acquire land or*
21 *conservation easements.*

22 *(d) A schedule of projects undertaken.*

23 *(e) A description of progress made toward achievement of the*
24 *purposes set forth in Section 32322.*

25 *SEC. 4. Section 32539 is added to the Public Resources Code,*
26 *to read:*

27 *32539. Notwithstanding Section 10231.5 of the Government*
28 *Code, the conservancy shall provide a report to the Legislature*
29 *and to the Secretary of the Natural Resources Agency on or before*
30 *January 1, 2012, and on or before January 1 every even-numbered*
31 *year thereafter. The report shall contain information regarding*
32 *all of the following:*

33 *(a) State and nonstate funding sources and revenues.*

34 *(b) Land management costs and administrative costs.*

35 *(c) Land or conservation easement acquisition activities or*
36 *funding provided to nonstate entities to acquire land or*
37 *conservation easements.*

38 *(d) A schedule of projects undertaken.*

39 *(e) A description of progress made toward implementation of*
40 *the San Joaquin River Parkway Plan.*

1 SEC. 5. Section 32573.5 is added to the Public Resources Code,
2 to read:

3 32573.5. Notwithstanding Section 10231.5 of the Government
4 Code, the conservancy shall provide a report to the Legislature
5 and to the Secretary of the Natural Resources Agency on or before
6 January 1, 2012, and on or before January 1 every even-numbered
7 year thereafter. The report shall contain information regarding
8 all of the following:

- 9 (a) State and nonstate funding sources and revenues.
- 10 (b) Land management costs and administrative costs.
- 11 (c) Land or conservation easement acquisition activities or
12 funding provided to nonstate entities to acquire land or
13 conservation easements.
- 14 (d) A schedule of projects undertaken.
- 15 (e) A description of progress made toward achievement of the
16 purposes set forth in Section 32555.

17 SEC. 6. Section 32604.5 is added to the Public Resources Code,
18 to read:

19 32604.5. Notwithstanding Section 10231.5 of the Government
20 Code, the conservancy shall provide a report to the Legislature
21 and to the Secretary of the Natural Resources Agency on or before
22 January 1, 2012, and on or before January 1 every even-numbered
23 year thereafter. The report shall contain information regarding
24 all of the following:

- 25 (a) State and nonstate funding sources and revenues.
- 26 (b) Land management costs and administrative costs.
- 27 (c) Land or conservation easement acquisition activities or
28 funding provided to nonstate entities to acquire land or
29 conservation easements.
- 30 (d) A schedule of projects undertaken.
- 31 (e) A description of progress made toward achievement of the
32 purposes set forth in Section 32602 and implementation of the San
33 Gabriel and Lower Los Angeles Parkway and Open Space Plan.

34 SEC. 7. Section 32638.5 is added to the Public Resources Code,
35 to read:

36 32638.5. Notwithstanding Section 10231.5 of the Government
37 Code, the conservancy shall provide a report to the Legislature
38 and to the Secretary of the Natural Resources Agency on or before
39 January 1, 2012, and on or before January 1 every even-numbered

1 year thereafter. The report shall contain information regarding
2 all of the following:

- 3 (a) State and nonstate funding sources and revenues.
- 4 (b) Land management costs and administrative costs.
- 5 (c) Land or conservation easement acquisition activities or
6 funding provided to nonstate entities to acquire land or
7 conservation easements.
- 8 (d) A schedule of projects undertaken.
- 9 (e) A description of progress made toward achievement of the
10 purposes set forth in Section 32633 and implementation of the
11 conservancy's Five Year Strategic and Infrastructure Plan
12 (2006–2011) as specified on the conservancy's Internet Web site.

13 SEC. 8. Section 33208 of the Public Resources Code is
14 amended to read:

15 33208. ~~The~~Notwithstanding Section 10231.5 of the
16 Government Code, on or before January 1, 2012, and on or before
17 January 1 every even-numbered year thereafter, the conservancy
18 shall ~~annually, beginning on January 1, 1981,~~ transmit to the
19 Governor and the Legislature a two-part report as follows:

20 (a) The first part of the report shall include all of the following:

21 (1) A listing of, and justification for, the projects proposed to
22 be undertaken pursuant to Section 33204, a statement of the
23 condition of the fund, and a certification by the conservancy that
24 each of the projects proposed to be funded are consistent with the
25 plan.

26 (2) A priority listing of the projects that shall be developed after
27 public hearings and findings and with local government
28 coordination.

29 (3) A listing of the amount of money necessary, if any, to retire
30 bonded indebtedness for water and sewer and other utilities already
31 incurred by property owners which, if left outstanding, would
32 contribute to further development of the zone in a manner
33 inconsistent with the plan. Upon appropriation by the Legislature,
34 the conservancy may make grants from the fund to retire that
35 bonded indebtedness from any money specifically granted by the
36 Secretary of the Interior for that purpose.

37 (b) The second part of the report shall include all of the
38 following:

39 (1) A schedule of projects undertaken by the conservancy and
40 a schedule of grants and loans made by the conservancy.

(2) The program specified in Section 33204 under which each project, grant, or loan was carried out and the manner and extent to which the goals of the project, grant, or loan, and the goals of this division, were achieved and the actual cost thereof, including an accounting.

(3) A schedule of grants awarded to the conservancy and the disposition of the funds granted.

(4) The disposition of the funds appropriated to the conservancy in the fiscal year preceding the year in which the report is made.

(5) A review of local and state government actions taken to implement the plan.

(6) An identification of additional funding, legislation, or other resources required which would more effectively enable the conservancy or local governments to carry out the purposes of this division.

SEC. 9. Section 33350 of the Public Resources Code is amended to read:

33350. ~~The~~—Notwithstanding Section 10231.5 of the Government Code, on or before January 1, 2012, and on or before January 1 every even-numbered year thereafter, the conservancy shall make an annual report to the Legislature and to the Secretary of the Natural Resources Agency regarding expenditures, land management costs, and administrative costs.

SEC. 10. Section 33510 is added to the Public Resources Code, to read:

33510. Notwithstanding Section 10231.5 of the Government Code, the conservancy shall provide a report to the Legislature and to the Secretary of the Natural Resources Agency on or before January 1, 2012, and on or before January 1 every even-numbered year thereafter. The report shall contain information regarding all of the following:

(a) State and nonstate funding sources and revenues.

(b) Land management costs and administrative costs.

(c) Land or conservation easement acquisition activities or funding provided to nonstate entities to acquire land or conservation easements.

(d) A schedule of projects undertaken.

(e) A description of progress made toward achievement of the purposes set forth in Section 33501.

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~legislation that will require the Baldwin Hills Conservancy, the~~
3 ~~California Tahoe Conservancy, the Coachella Valley Mountains~~
4 ~~Conservancy, the San Diego River Conservancy, the San Gabriel~~
5 ~~and Lower Los Angeles Rivers and Mountains Conservancy, and~~
6 ~~the San Joaquin River Conservancy to submit annual reports to~~
7 ~~the Legislature detailing their goals, their progress toward meeting~~
8 ~~their goals, and their expenditures, including, but not limited to,~~
9 ~~those expenditures relating to land management costs,~~
10 ~~administrative costs, and land and conservation easement acquisition~~
11 ~~costs.~~

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